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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,302	09/11/2003	Nobumasa Suzuki	P24196	3567
7055	7590	01/20/2009	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191				SHAFFER, RICHARD R
ART UNIT		PAPER NUMBER		
3775				
NOTIFICATION DATE			DELIVERY MODE	
01/20/2009			ELECTRONIC	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com  
pto@gbpatent.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte:* NOBUMASA SUZUKI, YUTAKA NOHARA,  
SHINNOSUKE NAKAHARA, SHIGENOBU SATAO,  
KAZUMASA UEYAMA, KAZUHIRO HASEGAWA,  
KAZUYA ORIBE, and HIROSHI TAKAMIDO

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Application No. 10/659,302  
Technology Center 3700

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Mailed: January 16, 2009

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Before PAULA CONN *Paralegal Specialist*  
CONN, *Paralegal Specialist*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on July 29, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

**INFORMATION DISCLOSURE STATEMENT**

Appellant filed an Information Disclosure Statement (IDS) dated September 11, 2007. There is no indication on the record that the Examiner has considered the above Information Disclosure Statement. MPEP § 609 requires the Examiner to consider any Information Disclosure Statement filed by Applicant if timely submitted. A written communication notifying Appellant of the Examiner's consideration of the above Information Disclosure Statement is required.

**CONCLUSION**

Accordingly, it is ORDERED that the application is returned to the Examiner to:

- (1) consider the Information Disclosure Statement filed September 11, 2007; and
- (2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

pgc

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